IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Civil Transfer Application No. 16 of 2005

Smt. Nisha Agarwal W/o Pankaj Agarwal
D/o jag Rohan Lal Agarwal
R/o 82 Khudbura Mohalla, Dehradun. ....Petitioner

Vs

1. Pankaj Agarwal, S/o Late Sri Ram Kumar Agarwal, R/o Mohalla Oila, Ghasmandi, Village and P.O. Landhora, District Haridwar.
2. Family Court, Roorkee, Haridwar. ....Respondents

Sri D.S. Mehata, learned counsel for the petitioner.
Sri Rajendra Singh, learned counsel for the respondent No.1.

Hon'ble B.S. Verma, J.

Heard Sri D.S. Mehta, learned counsel for the petitioner and Sri Rajendra Singh, learned counsel for the respondent No.1.

The present Civil Transfer application has been filed by the petitioner with a prayer to transfer the O.S. No. 24 of 2004, Pankaj Agarwal Vs. Smt. Nisha, filed under Section 9 of Hindu Marriage Act from the Family Court, Roorkee to the Court of Family Court, Dehradun.

The grounds raised in the present Transfer Application are that the proceedings of three suits/cases 285/04 under Section 125 Cr.P.C. Suit No.346/04 Under Section 13 (1) (A) and criminal case No.24/2004 are pending against the respondent No.1 at Dehradun and only one case no.24/04 under Section 9 of Hindu Marriage Act is pending before the Family Court Roorkee, Haridwar.

The grounds shown in the application is sufficient to transfer the case from the Family Court, Roorkee to Family Court, Dehradun.

The Civil Misc. (Transfer) application is allowed. The said Original Suit No.24 of 2004, Pankaj Agarwal Vs. Smt. Nisha, pending in the Family Court, Roorkee is transferred to the Family Court, Dehradun.

The Registry is directed to remit the record of the case No.24 of 2004 Pankaj Agarwal Vs. Smt. Nisha to Judge Family Court, Dehradun.

The Family Court, Dehradun is directed to conclude the proceedings of O.S. No.24 of 2004, Pankaj Agarwal Vs. Smt. Nisha, expeditiously as far as possible.

All applications stands disposed of accordingly.

(B.S. Verma, J)

Dated: - 25-5-2007
M.K.